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JC962 U.S. P

JC09 PCT/PTO 11 DEC 2001

PTO/SB/64/PCT (10-00)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	Docket Number (Optional) 5091US
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First named inventor: Jan Dirk VAN DER KLIS  
International (PCT) Application No.: PCT/NL00/00199 U.S. Application No.:  
Filed: 24 March 2000 (if known)  
Title: INCREASING PLASMA CALCITRIOL LEVELS

Attention: PCT Legal Staff  
Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee--required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$\_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☒ Other than small entity - fee \$1,280 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of  
Filing under 35 U.S.C. 371 (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

12/27/2001 MNGUYEN 00000065 PCT/NL00/00199

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[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 10 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

11 December 2001  
Date

Telephone  
Number: (801) 532-1922

  
Signature

Allen C. Turner  
Typed or printed name

P. O. Box 2550  
Address

Salt Lake City, Utah 84110

- Enclosures: ☒ Response  
☒ Fee Payment  
☐ Terminal Disclaimer Form  
☐ \_\_\_\_\_

12/11/01

JC962 U  
PTOFORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

JC09 PCT/PTO 11 DEC 2001

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

5091US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

**10/018390**

INTERNATIONAL APPLICATION NO.

PCT/NL00/00199

INTERNATIONAL FILING DATE

24 March 2000 (24.03.00)

PRIORITY DATE CLAIMED

24 March 1999 (24.03.99)

TITLE OF INVENTION

INCREASING PLASMA CALCITRIOL LEVELS

APPLICANT(S) FOR DO/EO/US

Jan Dirk VAN DER KLIS, Cornelis Willem SCHEELE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:  
 Petition for Revival  
 Copy of Form PCT/IB/308  
 Preliminary Examination Report  
 International Application

**NOTICE OF EXPRESS MAILING**Express Mail Mailing Label Number: EL740517052USDate of Deposit with USPS: December 11, 2001Person making Deposit: Orlena Howell

U.S. APPLICATION NO. <b>10/018390</b> INTERNATIONAL APPLICATION NO. <b>PCT/NL00/00199</b>		ATTORNEY'S DOCKET NUMBER <b>5091US</b>																					
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. . . . . <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . <b>\$690.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS PTO USE ONLY</b>																					
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	860.00																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>21 - 20 =</td> <td>1</td> <td>x <b>\$18.00</b></td> </tr> <tr> <td>Independent claims</td> <td>6 - 3 =</td> <td>3</td> <td>x <b>\$84.00</b></td> </tr> <tr> <td colspan="3"></td> <td>+ <b>\$270.00</b></td> </tr> <tr> <td colspan="3" style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	21 - 20 =	1	x <b>\$18.00</b>	Independent claims	6 - 3 =	3	x <b>\$84.00</b>				+ <b>\$270.00</b>	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																				
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<b>TOTAL OF ABOVE CALCULATIONS =</b>																							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$	1,260.00																				
<b>SUBTOTAL =</b>		\$	1,260.00																				
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																					
<b>TOTAL NATIONAL FEE =</b>		\$	1,260.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +		\$																					
<b>TOTAL FEES ENCLOSED =</b>		\$	1,260.00																				
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		Amount to be refunded:	\$																				
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a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,260.00</u> to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1469</u> . A duplicate copy of this sheet is enclosed.  d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card</b> <b>information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.																							
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b>																							
SEND ALL CORRESPONDENCE TO:  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           Allen C. Turner            TRASKBRITT, P.C.            P. O. Box 2550            Salt Lake City, Utah 84110         </div> <div style="width: 50%; text-align: right;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"> </div>           SIGNATURE  <div style="border-bottom: 1px solid black; margin-bottom: 5px;">             Allen C. Turner           </div>           NAME  <div style="border-bottom: 1px solid black; margin-bottom: 5px;">             33,041           </div>           REGISTRATION NUMBER         </div> </div>																							